

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

VIKKI REDDEN,

Plaintiff,

v.

Civil Action No. 5:14-cv-27757

MONITRONICS INTERNATIONAL, INC.; and
DOES 1-10, inclusive,

Defendant.

MOTION TO DISMISS AND COMPEL ARBITRATION

Now comes Defendant, Monitronics International, Inc. ("Monitronics"), by counsel, and move for the entry of an order dismissing this case and compelling Plaintiff to arbitrate claims against it pursuant to the holdings of *Preston v. Ferrer*, 552 U.S. 346 (2008), *AT&T Mobility v. Concepcion*, 131 S. Ct. 1740 (2011), and *Marmet Health Care Center, Inc. v. Brown*, 132 S. Ct. 1201 (2012), as well as the Federal Arbitration Act, 9 U.S.C. § 1-16. In this case, Plaintiff asserts that Monitronics has improperly attempted to enforce its contractual rights to payment under an Alarm Monitoring Agreement ("AMA"). See, e.g. *Complaint* ¶¶ 8, 21-23. As set forth in the Affidavit of David Verret, attached as Exhibit A, the parties are required by the terms of their agreement to arbitrate disputes arising out of that agreement. Consequently, her Complaint should be dismissed and the Court should enter an Order compelling arbitration, all as more fully set forth in the accompanying memorandum.

MONITRONICS INTERNATIONAL, INC.

By:


Its Counsel

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CERTIFICATE OF SERVICE

Service of the Defendant's MOTION TO DISMISS AND COMPEL ARBITRATION and MEMORANDUM IN SUPPORT OF MOTION TO DISMISS AND COMPEL ARBITRATION was had upon the following counsel of record via the CM/ECF system this 10th day of April, 2015:

Brian J. Headley
THE HEADLEY LAW FIRM
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By: /s/ Jeffrey A. Holmstrand
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